

February 25, 2020

Regular meeting of the Mayor and Council of the Borough of Victory Gardens held on February 25, 2020.

Mayor Holeman called the meeting to order and declared a quorum present.

Pledge of Allegiance to the Flag of Our Country.

Please remain standing for a moment of silence for our military.

This meeting has been advertised in one newspaper, The Daily Record, in compliance with the New Jersey Open Public Meeting Act.

ATTENDANCE: Councilman Glass, Councilwoman Hedgepath, Councilwoman White, Councilman Lorenzo, Councilwoman Garcia Montes.

ABSENT: Councilwoman Cheatham.

\*\* Attorney Feintuch was also present at this meeting.

The Mayor asked for a motion to accept the minutes of February 11, 2020 and February 18, 2020 which was the budget meeting.

Councilman Lorenzo said he has a statement, regarding the budget meeting minutes. I spoke to Debbe earlier and she explained to me but I think there should be an explanation so everyone knows. The motion shows that the 3% raises and a 2% increase in the budget. But the minutes say 2.4% tax increase. So, I just wanted clarification on that like Debbie said to me. The actual budget itself for taxes is going up 2%. So, it is only 2% tax increase.

Motion was made by Councilwoman Montes to approve the minutes for February 11, 2020 and February 18, 2020 with the change that Councilman Lorenzo spoke of. Seconded by Councilwoman Hedgepath and approved on verbal vote. None opposed.

#### CORRESPONDENCE:

Email from Valerie Williams - The Clerk said everyone has a copy of Valerie's email. Everyone mentioned on the email has been given a copy. She is still asking about her steps. Attorney Feintuch asked if we have told her about this before? Yes. Why not send her a letter. The Attorney will send Valerie a letter.

Motion to accept correspondence as received by Councilwoman Montes, seconded by Councilman Glass and approved on verbal vote. None opposed.

#### VOUCHERS:

The Mayor asked if there were any questions on the vouchers? Councilman Lorenzo asked about the Shell gas bill. Can't we get gas from somewhere else? The Clerk said we tried in the past to get it somewhere else, but they don't accept vouchers. They charge us about 40¢ more than any other gas place.

Motion to approve the vouchers for payment by Councilwoman Montes, seconded by Councilman Glass and approved on roll call:

Councilman Glass	Yes
Councilwoman Hedgepath	Yes
Councilwoman White	Yes
Councilman Lorenzo	Yes
Councilwoman Garcia Montes	Yes

(See Vouchers Next Page)

**VOUCHER REPORTS**Date of Council Meeting:  
February 25, 2020

<b><u>Voucher #</u></b>	<b><u>Payable to:</u></b>	<b><u>Type of Service</u></b>	<b><u>Amount</u></b>
2/18/2020	Anderson & Denzler	WAPA's Escrow	261.75
2/19/2020	Anderson & Denzler	Engineering, Boro Hall, Firehouse prk lot & paving	6,301.15
2/20/2020	ATT	Utilities	44.13
2/21/2020	CE Union	Clerk OE - class Debbie D. 2/28/2020	95.00
2/22/2020	Deborah Devery	Recreation - reimbursement	44.98
2/23/2020	Dover Board of Education	School Taxes	84,757.75
2/24/2020	Dover Municipal Court	Muni Court Dover	1,529.79
2/25/2020	Eric M. Bernstein & Assoc., LLC	Pl. Board and WAPA's escrow	504.00
2/26/2020	Henry O'Baker, Insurance Group	Other Insurance	8,081.00
2/27/2020	Herbert Evans, Jr.	Bldgs. & Grnds.	350.00
2/28/2020	Home Depot Credit Services	Clerk OE	161.50
2/29/2020	Horizon Blue Cross Blue Shield of NJ	Group Insurance	910.47
2/30/2020	JCP&L - Street Lighting	Street Lighting	626.91
2/31/2020	JLM computers	Clerk OE	95.00
2/32/2020	Morris County MUA	Road OE	497.25
2/33/2020	Optimum	Clerk OE	11.45
2/34/2020	Philip Feintuch, ESQ	Legal Services OE	2,104.17
2/35/2020	Peter Rubinetti Private Disposal, LLC	Trash Removal	10,833.33
2/36/2020	Verizon - 366-5312	Utilities	244.21
2/37/2020	WEX Bank - Shell Gas	Streets & Roads	486.58
2/38/2020	VSP Insurance Company	Group Insurance - Online	98.70
TOTAL			118,039.12

**COMMITTEE REPORTS:**

Councilman Glass - Nothing

Councilwoman Hedgepath - Councilwoman Cheatham and I went to our meeting at Community Development. We sat on the committee for housing. I also believe we did get the grant for the sidewalks. Leon Hall presented that.

Councilwoman White - Nothing.

Councilman Lorenzo - Nothing.

Councilwoman Garcia Montes - Nothing. I wanted to report that we have a lot of street lights out. The Mayor said he will check tonight. We need pole numbers and house numbers where the poles are. The Mayor said there is one by the firehouse also.

DEPARTMENT REPORTS:

Building Inspector - 6 permits issued for a total value of construction:  
\$14,761.00

Property Maintenance - Everyone has a copy of the report.

Municipal Court - We received \$175.12 from the court.

Tax Collector - Total Tax Receipts Month To Date: \$102,526.19  
" " " Year To Date: \$102,526.19

Registrar - There were 2 marriage licenses issued for a total collected  
of \$56.00

Councilman Glass asked if we authorized Ron to write tickets yet? The Clerk said the attorney said he could write them if he is mentioned in the code. It says Officials in the book the Clerk said. The Attorney said then he can write them. Councilman Glass said that it says in the report we towed a car at our expense. The Clerk said we do not tow at the Boroughs expense.

Motion to accept all reports by Councilwoman Montes, seconded by Councilman Glass and approved on verbal vote. None opposed.

NEW BUSINESS:

2019 TRANSFER RESOLUTION

**2019 APPROPRIATIONS TRANSFERS**

WHEREAS, there appears to be insufficient funds in the below listed account(s) to meet the demands thereon for the balance of the reserve year, and

WHEREAS, there appears to be a surplus in the below listed account(s) over and above the amount deemed necessary for the balance of the current year.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Victory Gardens that, in accordance with the provisions of N.J.S.A. 40A: 4-58, part of the surplus in the account(s) heretofore mentioned be and same are hereby authorized as transfers to the account(s) mentioned as being insufficient, and

BE IT FURTHER RESOLVED, that the Finance Officer is hereby directed to make the following transfers:

FROM	AMOUNT	TO	AMOUNT
Uniform Fire Safety	\$ 1,000.00	Audit O/E Fire O/E	\$ 500.00 500.00

Adopted: February 25, 2019

BOROUGH COUNCIL OF THE  
BOROUGH OF VICTORY GARDENS

*Deborah Evans*  
*Municipal Clerk*

*David Holeman, Mayor*

NEW BUSINESS CONTINUED:

2019 APPROPRIATIONS TRANSFER CONTINUED:

The Clerk said everyone has a copy. We are taking \$1,000 from Uniform Fire Safety and putting it into Audit O & E \$500.00 and Fire O & E \$500.

Motion on the Resolution by Councilman Glass, seconded by Councilwoman Montes and approved on roll call:

Councilman Glass	Yes
Councilwoman Hedgepath	Yes
Councilwoman White	Yes
Councilman Lorenzo	Yes
Councilwoman Garcia Montes	Yes

INLET REPAIRS FOR FRANKLIN ROAD - The Clerk said we received 2 quotes for this work. One was from AJM Contracting out of Clifton for \$19,800. Second was from Cifelli & Son out of Nutley and his bid was \$19,900.

The Clerk said she spoke to the Mayor and Attorney about this. I was speaking to Randolph engineering. I proposed to them that they do the storm drains on Franklin and we would pay them. The reason I said this was because I spoke to Leon Hall and he said the quotes were too high. I said we would pay them \$10,000 if they did the work because we went out for quotes twice and they were too high. The Clerk said we can hold off on this, the Attorney said it was okay to hold off for right now. I want to hold off long enough to see if Randolph will do the work and accept the \$10,000. They are having a pre-construction meeting next month and they plan on doing the work in late summer. We would be saving almost \$10,000.

Council agreed to hold off until we hear back from Randolph. There was no vote taken. The Attorney said it wasn't needed.

TREE QUOTES FOR FRANKLIN ROAD - The Clerk said we received 4 quotes for 15 trees to be removed. They are:

Scotty Tree Experts	\$3,100.00
Master Tree Services	\$3,000.00
Tree King, Inc.	\$9,450.00
Tuff Greens, LLC	\$13,000.00

All papers were given to the Attorney to look over and all papers are in order. They are not grinding stumps. We need the stumps to be there in order to keep the dirt in place.

Councilwoman Montes made a motion to award to Scotty Tree Experts. The Clerk said we have one quote here for \$3,000. Councilwoman Montes said she likes Scottys. Councilman Glass asked if she knew them? She said that is who is doing her trees. Motion was seconded by Councilman Lorenzo and approved on roll call:

Councilman Glass	Yes
Councilwoman Hedgepath	Yes
Councilwoman White	Yes
Councilman Lorenzo	Yes
Councilwoman Garcia Montes	Yes

OLD BUSINESS:

FIRE/EMS RESOLUTION WITH THE TOWN OF DOVER - The Clerk said we approved everything the last meeting. We just didn't do the resolution. Everyone has a copy of the resolution. Councilwoman Montes said with everything going on with Dover wasn't the previous administration the ones that signed off? Yes. Would that be a problem since they were the ones that signed? No. The attorney said no. Nothing can be changed? No.

**RESOLUTION OF THE BOROUGH OF VICTORY GARDENS  
AUTHORIZING THE BOROUGH TO CONTINUE THE SHARED  
SERVICES AGREEMENT WITH THE TOWN OF DOVER,  
MORRIS COUNTY FOR FIRE AND EMERGENCY SERVICES**

Whereas, the Town of Dover, and the Borough of Victory Gardens have established some shared services through a series of Shared Services Agreements for Fire and Emergency Services for a number of years; and

Whereas, the most recent agreement has expired; and

Whereas, both parties have reached an agreement to re-new and continue that relationship; and


Whereas, the governing body of Victory Gardens having reviewed and is satisfied with the Agreement;

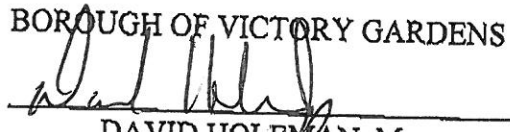
NOW THEREFORE, BE IT RESOLVED by the Mayor and convened Council of the Borough of Victory Gardens that the Borough Clerk advise the Municipal Clerk of the Town of Dover that it has renewed the Shared Services Agreement with Dover wherein Town of Dover provides fire and emergency services to the Borough of Victory Gardens pursuant to the terms of the written agreement.

IT IS RESOLVED that this Resolution take effect immediately.

FURTHER IT IS RESOLVED THAT THE MAYOR AND BOROUGH CLERK EXECUTE THE PROFFERED CONTRACT FORTHWITH.

ADOPTED:

  
DEBORAH EVANS, Borough Clerk

BOROUGH OF VICTORY GARDENS  
  
DAVID HOLEMAN, Mayor

FEINTUCH, PORWICH & FEINTUCH  
ATTORNEYS AT LAW  
721 NEWARK AVENUE  
JERSEY CITY, NJ 07310  
(201) 636-8600  
prepared and submitted 2/19/2020

Motion on the Resolution for shared services with the Town of Dover for Fire/EMS Services. Motion by Councilwoman Montes, seconded by Councilman Lorenzo and approved on roll call:

Councilman Glass	Yes
Councilwoman Hedgepath	Yes
Councilwoman White	Yes
Councilman Lorenzo	Yes
Councilwoman Garcia Montes	Yes



The Clerk said she wanted to mention something to the Council regarding animal control and fines. We have an Ordinance that says we can charge fines for not licensing their pets. We want to start enforcement on this. This has been on the books for a long time. People are not getting their animals licensed. We have an animal census being done this year. We will know who has gotten licenses and who hasn't. I just wanted the Council to know that we are going to start enforcement. As long as the animals are over 6 months, they have to be licensed.

Council said they are okay with having this done. No motion was needed as it is already an ordinance. Everyone agreed.

Motion to open the meeting to the public by Councilwoman Montes, seconded by Councilwoman Hedgepath and approved on verbal vote. None opposed.

Jim Janone - Regarding the fire/ems resolution do you have an executed contract? Yes. Who signed it and when? Mayor Dodd and I don't recall the date. That administration is gone. I don't know if it is valid? Of course it is valid the Clerk said. I did some research into raises for employees. I checked with the Borough of Caldwell and they have 50 plus employees and they do merit raises. You only have 3 employees here. If Caldwell can do it with over 50 why can't we do it? The Clerk said we have something like 24 employees not 3. We have 3 full time employees, all the rest are part time but nonetheless, they are still employees. Why can't we do that here? The Mayor asked why would we want to? Why a 3% raise for everyone? Why not the Mayor said? You guys should be responsible. The Mayor said we are responsible. During the budget meetings it came up about the sewer rates. I did some research on that. I think our costs for last year were \$98,000. You took in \$142,000. Where did all that money go? I would have to look at the figures myself the Clerk said. All this money and how come we don't have a dedicated sewer fund? I don't think you need to have one but I will ask Joe. A lot of towns I spoke to have a line item for just sewers. This way if anything happens they can take the money out of there if a repair needs to be done. Councilwoman Montes asked if that would go back into the general fund. The Clerk said she thinks so but to be clear I would ask Joe first. He could answer all these questions. You are talking about raising the sewer rates but if you don't have to, why would you? It is in the talking stages right now and they are studying the possibilities. No one said rates are going up. If they go up we will have to update the ordinance and the process will be followed.

Councilwoman Montes asked if we will see an increase in the bill? If we have to raise the rates, we will. At this time, we aren't saying we have to do that. Let me talk to Joe and I will let you know what he says. Our fees with RVRSA have gone up because we are paying part of the things with Jersey City. The Mayor asked Jim when he asked Joe that question what did Joe say? That they are reviewing it. Caldwell is also basing sewer on water consumption. The Clerk said that is one of the things that we are looking at. It says that sewer is billing quarterly. It is for the businesses. The ordinance doesn't say that. The Attorney will review the ordinance.

Motion to close the meeting to the public by Councilwoman Montes, seconded by Councilman Lorenzo and approved on verbal vote. None opposed.

Motion to adjourn the meeting by Councilwoman Montes, seconded by Councilman Lorenzo and approved on verbal vote. None opposed.

Submitted By:

*Deborah Evans*

Deborah Evans  
Borough Clerk